



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB0031

Introduced 1/19/2007, by Rep. Dave Winters

SYNOPSIS AS INTRODUCED:

625 ILCS 5/3-812	from Ch. 95 1/2, par. 3-812
625 ILCS 5/3-815	from Ch. 95 1/2, par. 3-815
625 ILCS 5/3-818	from Ch. 95 1/2, par. 3-818
625 ILCS 5/15-102	from Ch. 95 1/2, par. 15-102
625 ILCS 5/15-111	from Ch. 95 1/2, par. 15-111
625 ILCS 5/15-301	from Ch. 95 1/2, par. 15-301

Amends the Illinois Vehicle Code. Provides that a vehicle or combination of vehicles that otherwise would be subject to a gross vehicle weight limit of 80,000 pounds is subject to a gross vehicle weight limit of 80,400 pounds if the vehicle, or the towing vehicle of the combination of vehicles, is equipped with an auxiliary power unit for idling reduction that is in working order. Makes corresponding changes with regard to applicable registration fees and taxes.

LRB095 03321 DRH 23323 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Sections 3-812, 3-815, 3-818, 15-102, 15-111, and 15-301 as
6 follows:

7 (625 ILCS 5/3-812) (from Ch. 95 1/2, par. 3-812)

8 Sec. 3-812. Vehicles with Permanently Mounted Equipment -
9 Registration Fees. Vehicles having permanently mounted
10 equipment thereon used exclusively by the owner for the
11 transporting of such permanently mounted equipment and tools
12 and equipment to be used incidentally in the work to be
13 performed with the permanently mounted equipment and provided
14 such vehicle is not used for hire shall be registered upon the
15 filing of a proper application and the payment of a
16 registration fee based upon a rate of \$45 per year (or fraction
17 of a year) for each 10,000 pounds (or portion thereof) of the
18 gross weight of such motor vehicle and equipment, according to
19 the following table of fees:

20 SCHEDULE OF FEES REQUIRED BY LAW

21	Gross Weight in Lbs.	
22	Including Vehicle and	Total
23	Equipment	Annual Fees

1	10,000 lbs. and less	\$45
2	10,001 lbs. to 20,000 lbs.	90
3	20,001 lbs. to 30,000 lbs.	135
4	30,001 lbs. to 40,000 lbs.	180
5	40,001 lbs. to 50,000 lbs.	225
6	50,001 lbs. to 60,000 lbs.	270
7	60,001 lbs. to 70,000 lbs.	315
8	70,001 lbs. to 73,280 lbs.	340
9	73,281 lbs. to <u>80,400</u> 80,000 lbs.	385
10	(Source: P.A. 91-37, eff. 7-1-99.)	

11 (625 ILCS 5/3-815) (from Ch. 95 1/2, par. 3-815)
 12 Sec. 3-815. Flat weight tax; vehicles of the second
 13 division.

14 (a) Except as provided in Section 3-806.3, every owner of a
 15 vehicle of the second division registered under Section 3-813,
 16 and not registered under the mileage weight tax under Section
 17 3-818, shall pay to the Secretary of State, for each
 18 registration year, for the use of the public highways, a flat
 19 weight tax at the rates set forth in the following table, the
 20 rates including the \$10 registration fee:

21 SCHEDULE OF FLAT WEIGHT TAX

22 REQUIRED BY LAW

23	Gross Weight in Lbs.	Total Fees
24	Including Vehicle	each Fiscal
25	and Maximum	year

1	Load	Class	
2	8,000 lbs. and less	B	\$78
3	8,001 lbs. to 12,000 lbs.	D	138
4	12,001 lbs. to 16,000 lbs.	F	242
5	16,001 lbs. to 26,000 lbs.	H	490
6	26,001 lbs. to 28,000 lbs.	J	630
7	28,001 lbs. to 32,000 lbs.	K	842
8	32,001 lbs. to 36,000 lbs.	L	982
9	36,001 lbs. to 40,000 lbs.	N	1,202
10	40,001 lbs. to 45,000 lbs.	P	1,390
11	45,001 lbs. to 50,000 lbs.	Q	1,538
12	50,001 lbs. to 54,999 lbs.	R	1,698
13	55,000 lbs. to 59,500 lbs.	S	1,830
14	59,501 lbs. to 64,000 lbs.	T	1,970
15	64,001 lbs. to 73,280 lbs.	V	2,294
16	73,281 lbs. to 77,000 lbs.	X	2,622
17	77,001 lbs. to <u>80,400</u> 80,000 lbs.	Z	2,790

18 (a-1) A Special Hauling Vehicle is a vehicle or combination
19 of vehicles of the second division registered under Section
20 3-813 transporting asphalt or concrete in the plastic state or
21 a vehicle or combination of vehicles that are subject to the
22 gross weight limitations in subsection (b) of Section 15-111
23 for which the owner of the vehicle or combination of vehicles
24 has elected to pay, in addition to the registration fee in
25 subsection (a), \$125 to the Secretary of State for each
26 registration year. The Secretary shall designate this class of

1 vehicle as a Special Hauling Vehicle.

2 (b) Except as provided in Section 3-806.3, every camping
3 trailer, motor home, mini motor home, travel trailer, truck
4 camper or van camper used primarily for recreational purposes,
5 and not used commercially, nor for hire, nor owned by a
6 commercial business, may be registered for each registration
7 year upon the filing of a proper application and the payment of
8 a registration fee and highway use tax, according to the
9 following table of fees:

10 MOTOR HOME, MINI MOTOR HOME, TRUCK CAMPER OR VAN CAMPER	
11 Gross Weight in Lbs.	Total Fees
12 Including Vehicle and	Each
13 Maximum Load	Calendar Year
14 8,000 lbs and less	\$78
15 8,001 Lbs. to 10,000 Lbs	90
16 10,001 Lbs. and Over	102
17 CAMPING TRAILER OR TRAVEL TRAILER	
18 Gross Weight in Lbs.	Total Fees
19 Including Vehicle and	Each
20 Maximum Load	Calendar Year
21 3,000 Lbs. and Less	\$18
22 3,001 Lbs. to 8,000 Lbs.	30
23 8,001 Lbs. to 10,000 Lbs.	38
24 10,001 Lbs. and Over	50

25 Every house trailer must be registered under Section 3-819.

26 (c) Farm Truck. Any truck used exclusively for the owner's

1 own agricultural, horticultural or livestock raising
 2 operations and not-for-hire only, or any truck used only in the
 3 transportation for-hire of seasonal, fresh, perishable fruit
 4 or vegetables from farm to the point of first processing, may
 5 be registered by the owner under this paragraph in lieu of
 6 registration under paragraph (a), upon filing of a proper
 7 application and the payment of the \$10 registration fee and the
 8 highway use tax herein specified as follows:

9 SCHEDULE OF FEES AND TAXES

10	Gross Weight in Lbs.		Total Amount for
11	Including Truck and		each
12	Maximum Load	Class	Fiscal Year
13	16,000 lbs. or less	VF	\$150
14	16,001 to 20,000 lbs.	VG	226
15	20,001 to 24,000 lbs.	VH	290
16	24,001 to 28,000 lbs.	VJ	378
17	28,001 to 32,000 lbs.	VK	506
18	32,001 to 36,000 lbs.	VL	610
19	36,001 to 45,000 lbs.	VP	810
20	45,001 to 54,999 lbs.	VR	1,026
21	55,000 to 64,000 lbs.	VT	1,202
22	64,001 to 73,280 lbs.	VV	1,290
23	73,281 to 77,000 lbs.	VX	1,350
24	77,001 to <u>80,400</u> 80,000 lbs.	VZ	1,490

25 In the event the Secretary of State revokes a farm truck
 26 registration as authorized by law, the owner shall pay the flat

1 weight tax due hereunder before operating such truck.

2 Any combination of vehicles having 5 axles, with a distance
3 of 42 feet or less between extreme axles, that are subject to
4 the weight limitations in subsection (a) and (b) of Section
5 15-111 for which the owner of the combination of vehicles has
6 elected to pay, in addition to the registration fee in
7 subsection (c), \$125 to the Secretary of State for each
8 registration year shall be designated by the Secretary as a
9 Special Hauling Vehicle.

10 (d) The number of axles necessary to carry the maximum load
11 provided shall be determined from Chapter 15 of this Code.

12 (e) An owner may only apply for and receive 5 farm truck
13 registrations, and only 2 of those 5 vehicles shall exceed
14 59,500 gross weight in pounds per vehicle.

15 (f) Every person convicted of violating this Section by
16 failure to pay the appropriate flat weight tax to the Secretary
17 of State as set forth in the above tables shall be punished as
18 provided for in Section 3-401.

19 (Source: P.A. 91-37, eff. 7-1-99.)

20 (625 ILCS 5/3-818) (from Ch. 95 1/2, par. 3-818)

21 Sec. 3-818. (a) Mileage weight tax option. Any owner of a
22 vehicle of the second division may elect to pay a mileage
23 weight tax for such vehicle in lieu of the flat weight tax set
24 out in Section 3-815. Such election shall be binding to the end
25 of the registration year. Renewal of this election must be

1 filed with the Secretary of State on or before July 1 of each
 2 registration period. In such event the owner shall, at the time
 3 of making such election, pay the \$10 registration fee and the
 4 minimum guaranteed mileage weight tax, as hereinafter
 5 provided, which payment shall permit the owner to operate that
 6 vehicle the maximum mileage in this State hereinafter set
 7 forth. Any vehicle being operated on mileage plates cannot be
 8 operated outside of this State. In addition thereto, the owner
 9 of that vehicle shall pay a mileage weight tax at the following
 10 rates for each mile traveled in this State in excess of the
 11 maximum mileage provided under the minimum guaranteed basis:

BUS, TRUCK OR TRUCK TRACTOR

13	14	15	16	17	18		19
					Maximum	Mileage	
20	21	22	23	24	25	26	27
Minimum	Guaranteed	Permitted	Weight	Under	in excess of	Weight Tax	
Guaranteed	Mileage	Guaranteed	Mileage	Guaranteed	Guaranteed	for Mileage	
Mileage	Under	Guaranteed	Weight	Guaranteed	Guaranteed	in excess of	
Vehicle and	Weight	Guaranteed	Weight	Guaranteed	Guaranteed	in excess of	
Load	Class	Tax	Tax	Tax	Mileage		
12,000 lbs. or less	MD	\$73	5,000	26 Mills			
12,001 to 16,000 lbs.	MF	120	6,000	34 Mills			
16,001 to 20,000 lbs.	MG	180	6,000	46 Mills			
20,001 to 24,000 lbs.	MH	235	6,000	63 Mills			
24,001 to 28,000 lbs.	MJ	315	7,000	63 Mills			
28,001 to 32,000 lbs.	MK	385	7,000	83 Mills			
32,001 to 36,000 lbs.	ML	485	7,000	99 Mills			
36,001 to 40,000 lbs.	MN	615	7,000	128 Mills			

1	40,001 to 45,000 lbs.	MP	695	7,000	139 Mills
2	45,001 to 54,999 lbs.	MR	853	7,000	156 Mills
3	55,000 to 59,500 lbs.	MS	920	7,000	178 Mills
4	59,501 to 64,000 lbs.	MT	985	7,000	195 Mills
5	64,001 to 73,280 lbs.	MV	1,173	7,000	225 Mills
6	73,281 to 77,000 lbs.	MX	1,328	7,000	258 Mills
7	77,001 to <u>80,400</u> 80,000				
8	lbs.	MZ	1,415	7,000	275 Mills
9	TRAILER				
10				Maximum	Mileage
11			Minimum	Mileage	Weight Tax
12			Guaranteed	Permitted	for Mileage
13	Gross Weight		Mileage	Under	in excess of
14	Vehicle and		Weight	Guaranteed	Guaranteed
15	Load	Class	Tax	Tax	Mileage
16	14,000 lbs. or less	ME	\$75	5,000	31 Mills
17	14,001 to 20,000 lbs.	MF	135	6,000	36 Mills
18	20,001 to 36,000 lbs.	ML	540	7,000	103 Mills
19	36,001 to 40,000 lbs.	MM	750	7,000	150 Mills

20 (a-1) A Special Hauling Vehicle is a vehicle or combination
 21 of vehicles of the second division registered under Section
 22 3-813 transporting asphalt or concrete in the plastic state or
 23 a vehicle or combination of vehicles that are subject to the
 24 gross weight limitations in subsection (b) of Section 15-111
 25 for which the owner of the vehicle or combination of vehicles
 26 has elected to pay, in addition to the registration fee in

1 subsection (a), \$125 to the Secretary of State for each
2 registration year. The Secretary shall designate this class of
3 vehicle as a Special Hauling Vehicle.

4 In preparing rate schedules on registration applications,
5 the Secretary of State shall add to the above rates, the \$10
6 registration fee. The Secretary may decline to accept any
7 renewal filed after July 1st.

8 The number of axles necessary to carry the maximum load
9 provided shall be determined from Chapter 15 of this Code.

10 Every owner of a second division motor vehicle for which he
11 has elected to pay a mileage weight tax shall keep a daily
12 record upon forms prescribed by the Secretary of State, showing
13 the mileage covered by that vehicle in this State. Such record
14 shall contain the license number of the vehicle and the miles
15 traveled by the vehicle in this State for each day of the
16 calendar month. Such owner shall also maintain records of fuel
17 consumed by each such motor vehicle and fuel purchases
18 therefor. On or before the 10th day of July the owner shall
19 certify to the Secretary of State upon forms prescribed
20 therefor, summaries of his daily records which shall show the
21 miles traveled by the vehicle in this State during the
22 preceding 12 months and such other information as the Secretary
23 of State may require. The daily record and fuel records shall
24 be filed, preserved and available for audit for a period of 3
25 years. Any owner filing a return hereunder shall certify that
26 such return is a true, correct and complete return. Any person

1 who willfully makes a false return hereunder is guilty of
2 perjury and shall be punished in the same manner and to the
3 same extent as is provided therefor.

4 At the time of filing his return, each owner shall pay to
5 the Secretary of State the proper amount of tax at the rate
6 herein imposed.

7 Every owner of a vehicle of the second division who elects
8 to pay on a mileage weight tax basis and who operates the
9 vehicle within this State, shall file with the Secretary of
10 State a bond in the amount of \$500. The bond shall be in a form
11 approved by the Secretary of State and with a surety company
12 approved by the Illinois Department of Insurance to transact
13 business in this State as surety, and shall be conditioned upon
14 such applicant's paying to the State of Illinois all money
15 becoming due by reason of the operation of the second division
16 vehicle in this State, together with all penalties and interest
17 thereon.

18 Upon notice from the Secretary that the registrant has
19 failed to pay the excess mileage fees, the surety shall
20 immediately pay the fees together with any penalties and
21 interest thereon in an amount not to exceed the limits of the
22 bond.

23 (Source: P.A. 94-239, eff. 1-1-06.)

24 (625 ILCS 5/15-102) (from Ch. 95 1/2, par. 15-102)

25 Sec. 15-102. Width of Vehicles.

1 (a) On Class III and non-designated State and local
2 highways, the total outside width of any vehicle or load
3 thereon shall not exceed 8 feet.

4 (b) Except during those times when, due to insufficient
5 light or unfavorable atmospheric conditions, persons and
6 vehicles on the highway are not clearly discernible at a
7 distance of 1000 feet, the following vehicles may exceed the 8
8 feet limitation during the period from a half hour before
9 sunrise to a half hour after sunset:

10 (1) Loads of hay, straw or other similar farm products
11 provided that the load is not more than 12 feet wide.

12 (2) Implements of husbandry being transported on
13 another vehicle and the transporting vehicle while loaded.

14 The following requirements apply to the transportation
15 on another vehicle of an implement of husbandry wider than
16 8 feet 6 inches on the National System of Interstate and
17 Defense Highways or other highways in the system of State
18 highways:

19 (A) The driver of a vehicle transporting an
20 implement of husbandry that exceeds 8 feet 6 inches in
21 width shall obey all traffic laws and shall check the
22 roadways prior to making a movement in order to ensure
23 that adequate clearance is available for the movement.
24 It is prima facie evidence that the driver of a vehicle
25 transporting an implement of husbandry has failed to
26 check the roadway prior to making a movement if the

1 vehicle is involved in a collision with a bridge,
2 overpass, fixed structure, or properly placed traffic
3 control device or if the vehicle blocks traffic due to
4 its inability to proceed because of a bridge, overpass,
5 fixed structure, or properly placed traffic control
6 device.

7 (B) Flags shall be displayed so as to wave freely
8 at the extremities of overwidth objects and at the
9 extreme ends of all protrusions, projections, and
10 overhangs. All flags shall be clean, bright red flags
11 with no advertising, wording, emblem, or insignia
12 inscribed upon them and at least 18 inches square.

13 (C) "OVERSIZE LOAD" signs are mandatory on the
14 front and rear of all vehicles with loads over 10 feet
15 wide. These signs must have 12-inch high black letters
16 with a 2-inch stroke on a yellow sign that is 7 feet
17 wide by 18 inches high.

18 (D) One civilian escort vehicle is required for a
19 load that exceeds 14 feet 6 inches in width and 2
20 civilian escort vehicles are required for a load that
21 exceeds 16 feet in width on the National System of
22 Interstate and Defense Highways or other highways in
23 the system of State highways.

24 (E) The requirements for a civilian escort vehicle
25 and driver are as follows:

26 (1) The civilian escort vehicle shall be a

1 passenger car or a second division vehicle not
2 exceeding a gross vehicle weight of 8,000 pounds
3 that is designed to afford clear and unobstructed
4 vision to both front and rear.

5 (2) The escort vehicle driver must be properly
6 licensed to operate the vehicle.

7 (3) While in use, the escort vehicle must be
8 equipped with illuminated rotating, oscillating,
9 or flashing amber lights or flashing amber strobe
10 lights mounted on top that are of sufficient
11 intensity to be visible at 500 feet in normal
12 sunlight.

13 (4) "OVERSIZE LOAD" signs are mandatory on all
14 escort vehicles. The sign on an escort vehicle
15 shall have 8-inch high black letters on a yellow
16 sign that is 5 feet wide by 12 inches high.

17 (5) When only one escort vehicle is required
18 and it is operating on a two-lane highway, the
19 escort vehicle shall travel approximately 300 feet
20 ahead of the load. The rotating, oscillating, or
21 flashing lights or flashing amber strobe lights
22 and an "OVERSIZE LOAD" sign shall be displayed on
23 the escort vehicle and shall be visible from the
24 front. When only one escort vehicle is required and
25 it is operating on a multilane divided highway, the
26 escort vehicle shall travel approximately 300 feet

1 behind the load and the sign and lights shall be
2 visible from the rear.

3 (6) When 2 escort vehicles are required, one
4 escort shall travel approximately 300 feet ahead
5 of the load and the second escort shall travel
6 approximately 300 feet behind the load. The
7 rotating, oscillating, or flashing lights or
8 flashing amber strobe lights and an "OVERSIZE
9 LOAD" sign shall be displayed on the escort
10 vehicles and shall be visible from the front on the
11 lead escort and from the rear on the trailing
12 escort.

13 (7) When traveling within the corporate limits
14 of a municipality, the escort vehicle shall
15 maintain a reasonable and proper distance from the
16 oversize load, consistent with existing traffic
17 conditions.

18 (8) A separate escort shall be provided for
19 each load hauled.

20 (9) The driver of an escort vehicle shall obey
21 all traffic laws.

22 (10) The escort vehicle must be in safe
23 operational condition.

24 (11) The driver of the escort vehicle must be
25 in radio contact with the driver of the vehicle
26 carrying the oversize load.

1 (F) A transport vehicle while under load of more
2 than 8 feet 6 inches in width must be equipped with an
3 illuminated rotating, oscillating, or flashing amber
4 light or lights or a flashing amber strobe light or
5 lights mounted on the top of the cab that are of
6 sufficient intensity to be visible at 500 feet in
7 normal sunlight. If the load on the transport vehicle
8 blocks the visibility of the amber lighting from the
9 rear of the vehicle, the vehicle must also be equipped
10 with an illuminated rotating, oscillating, or flashing
11 amber light or lights or a flashing amber strobe light
12 or lights mounted on the rear of the load that are of
13 sufficient intensity to be visible at 500 feet in
14 normal sunlight.

15 (G) When a flashing amber light is required on the
16 transport vehicle under load and it is operating on a
17 two-lane highway, the transport vehicle shall display
18 to the rear at least one rotating, oscillating, or
19 flashing light or a flashing amber strobe light and an
20 "OVERSIZE LOAD" sign. When a flashing amber light is
21 required on the transport vehicle under load and it is
22 operating on a multilane divided highway, the sign and
23 light shall be visible from the rear.

24 (H) Maximum speed shall be 45 miles per hour on all
25 such moves or 5 miles per hour above the posted minimum
26 speed limit, whichever is greater, but the vehicle

1 shall not at any time exceed the posted maximum speed
2 limit.

3 (3) Portable buildings designed and used for
4 agricultural and livestock raising operations that are not
5 more than 14 feet wide and with not more than a 1 foot
6 overhang along the left side of the hauling vehicle.
7 However, the buildings shall not be transported more than
8 10 miles and not on any route that is part of the National
9 System of Interstate and Defense Highways.

10 All buildings when being transported shall display at least
11 2 red cloth flags, not less than 12 inches square, mounted as
12 high as practicable on the left and right side of the building.

13 A State Police escort shall be required if it is necessary
14 for this load to use part of the left lane when crossing any 2
15 laned State highway bridge.

16 (c) Vehicles propelled by electric power obtained from
17 overhead trolley wires operated wholly within the corporate
18 limits of a municipality are also exempt from the width
19 limitation.

20 (d) Exemptions are also granted to vehicles designed for
21 the carrying of more than 10 persons under the following
22 conditions:

23 (1) (Blank);

24 (2) When operated within any public transportation
25 service with the approval of local authorities or an
26 appropriate public body authorized by law to provide public

1 transportation. Any vehicle so operated may be 8 feet 6
2 inches in width; or

3 (3) When a county engineer or superintendent of
4 highways, after giving due consideration to the mass
5 transportation needs of the area and to the width and
6 condition of the road, has determined that the operation of
7 buses wider than 8 feet will not pose an undue safety
8 hazard on a particular county or township road segment, he
9 or she may authorize buses not to exceed 8 feet 6 inches in
10 width on any highway under that engineer's or
11 superintendent's jurisdiction.

12 (d-1) A recreational vehicle, as defined in Section 1-169,
13 may exceed 8 feet 6 inches in width if:

14 (1) the excess width is attributable to appurtenances
15 that extend 6 inches or less beyond either side of the body
16 of the vehicle; and

17 (2) the roadway on which the vehicle is traveling has
18 marked lanes for vehicular traffic that are at least 11
19 feet in width.

20 As used in this subsection (d-1) and in subsection (d-2),
21 the term appurtenance includes (i) a retracted awning and its
22 support hardware and (ii) any appendage that is intended to be
23 an integral part of a recreation vehicle.

24 (d-2) A recreational vehicle that exceeds 8 feet 6 inches
25 in width as provided in subsection (d-1) may travel any roadway
26 of the State if the vehicle is being operated between a roadway

1 permitted under subsection (d-1) and:

2 (1) the location where the recreation vehicle is
3 garaged;

4 (2) the destination of the recreation vehicle; or

5 (3) a facility for food, fuel, repair, services, or
6 rest.

7 (e) A vehicle and load traveling upon the National System
8 of Interstate and Defense Highways or any other highway in the
9 system of State highways that has been designated as a Class I
10 or Class II highway by the Department, or any street or highway
11 designated by local authorities, may have a total outside width
12 of 8 feet 6 inches, provided that certain safety devices that
13 the Department determines as necessary for the safe and
14 efficient operation of motor vehicles shall not be included in
15 the calculation of width.

16 (e-1) A vehicle and load more than 8 feet wide but not
17 exceeding 8 feet 6 inches in width is allowed access according
18 to the following:

19 (1) A vehicle and load not exceeding 73,280 pounds in
20 weight is allowed access from any State designated highway
21 onto any county, township, or municipal highway for a
22 distance of 5 highway miles for the purpose of loading and
23 unloading, provided:

24 (A) The vehicle and load does not exceed 65 feet
25 overall length.

26 (B) There is no sign prohibiting that access.

1 (C) The route is not being used as a thoroughfare
2 between State designated highways.

3 (2) A vehicle and load not exceeding 73,280 pounds in
4 weight is allowed access from any State designated highway
5 onto any county or township highway for a distance of 5
6 highway miles or onto any municipal highway for a distance
7 of one highway mile for the purpose of food, fuel, repairs,
8 and rest, provided:

9 (A) The vehicle and load does not exceed 65 feet
10 overall length.

11 (B) There is no sign prohibiting that access.

12 (C) The route is not being used as a thoroughfare
13 between State designated highways.

14 (3) A vehicle and load not exceeding 80,000 pounds in
15 weight, or a vehicle and load not exceeding 80,400 pounds
16 in weight if the vehicle is equipped with an auxiliary
17 power unit for idling reduction that is in working order,
18 is allowed access from a Class I highway onto any street or
19 highway for a distance of one highway mile for the purpose
20 of loading, unloading, food, fuel, repairs, and rest,
21 provided there is no sign prohibiting that access.

22 (4) A vehicle and load not exceeding 80,000 pounds in
23 weight, or a vehicle and load not exceeding 80,400 pounds
24 in weight if the vehicle is equipped with an auxiliary
25 power unit for idling reduction that is in working order,
26 is allowed access from a Class I or Class II highway onto

1 any State highway or any locally designated highway for a
2 distance of 5 highway miles for the purpose of loading,
3 unloading, food, fuel, repairs, and rest.

4 (5) A trailer or semi-trailer not exceeding 28 feet 6
5 inches in length, that was originally in combination with a
6 truck tractor, shall have unlimited access to points of
7 loading and unloading.

8 (6) All household goods carriers shall have unlimited
9 access to points of loading and unloading.

10 Section 5-35 of the Illinois Administrative Procedure Act
11 relating to procedures for rulemaking shall not apply to the
12 designation of highways under this paragraph (e).

13 (f) Mirrors required by Section 12-502 of this Code and
14 other safety devices identified by the Department may project
15 up to 14 inches beyond each side of a bus and up to 6 inches
16 beyond each side of any other vehicle, and that projection
17 shall not be deemed a violation of the width restrictions of
18 this Section.

19 (g) Any person who is convicted of violating this Section
20 is subject to the penalty as provided in paragraph (b) of
21 Section 15-113.

22 (Source: P.A. 93-177, eff. 7-11-03; 94-949, eff. 1-1-07.)

23 (625 ILCS 5/15-111) (from Ch. 95 1/2, par. 15-111)

24 Sec. 15-111. Wheel and axle loads and gross weights.

25 (a) On non-designated highways, no vehicle or combination

1 of vehicles equipped with pneumatic tires may be operated,
2 unladen or with load, when the total weight transmitted to the
3 road surface exceeds 18,000 pounds on a single axle or 32,000
4 pounds on a tandem axle with no axle within the tandem
5 exceeding 18,000 pounds except:

6 (1) when a different limit is established and posted in
7 accordance with Section 15-316 of this Code;

8 (2) vehicles for which the Department of
9 Transportation and local authorities issue overweight
10 permits under authority of Section 15-301 of this Code;

11 (3) tow trucks subject to the conditions provided in
12 subsection (d) may not exceed 24,000 pounds on a single
13 rear axle or 44,000 pounds on a tandem rear axle;

14 (4) any single axle of a 2-axle truck weighing 36,000
15 pounds or less and not a part of a combination of vehicles,
16 shall not exceed 20,000 pounds;

17 (5) any single axle of a 2-axle truck equipped with a
18 personnel lift or digger derrick, weighing 36,000 pounds or
19 less, owned and operated by a public utility, shall not
20 exceed 20,000 pounds;

21 (6) any single axle of a 2-axle truck specially
22 equipped with a front loading compactor used exclusively
23 for garbage, refuse, or recycling may not exceed 20,000
24 pounds per axle, provided that the gross weight of the
25 vehicle does not exceed 40,000 pounds;

26 (7) a truck, not in combination and specially equipped

1 with a selfcompactor or an industrial roll-off hoist and
2 roll-off container, used exclusively for garbage or refuse
3 operations may, when laden, transmit upon the road surface
4 the following maximum weights: 22,000 pounds on a single
5 axle; 40,000 pounds on a tandem axle;

6 (8) a truck, not in combination and used exclusively
7 for the collection of rendering materials, may, when laden,
8 transmit upon the road surface the following maximum
9 weights: 22,000 pounds on a single axle; 40,000 pounds on a
10 tandem axle;

11 (9) tandem axles on a 3-axle truck registered as a
12 Special Hauling Vehicle, manufactured prior to or in the
13 model year of 2014 and first registered in Illinois prior
14 to January 1, 2015, with a distance greater than 72 inches
15 but not more than 96 inches between any series of 2 axles,
16 is allowed a combined weight on the series not to exceed
17 36,000 pounds and neither axle of the series may exceed
18 18,000 pounds. Any vehicle of this type manufactured after
19 the model year of 2014 or first registered in Illinois
20 after December 31, 2014 may not exceed a combined weight of
21 32,000 pounds through the series of 2 axles and neither
22 axle of the series may exceed 18,000 pounds;

23 (10) a 4-axle truck mixer registered as a Special
24 Hauling Vehicle, used exclusively for the mixing and
25 transportation of concrete in the plastic state and
26 manufactured prior to or in the model year of 2014 and

1 first registered in Illinois prior to January 1, 2015, is
2 allowed the following maximum weights: 20,000 pounds on any
3 single axle; 36,000 pounds on any series of 2 axles greater
4 than 72 inches but not more than 96 inches; and 34,000
5 pounds on any series of 2 axles greater than 40 inches but
6 not more than 72 inches;

7 (11) 4-axle vehicles or a 5 or more axle combination of
8 vehicles: The weight transmitted upon the road surface
9 through any series of 3 axles whose centers are more than
10 96 inches apart, measured between extreme axles in the
11 series, may not exceed those allowed in the table contained
12 in subsection (f) of this Section. No axle or tandem axle
13 of the series may exceed the maximum weight permitted under
14 this Section for a single or tandem axle.

15 No vehicle or combination of vehicles equipped with other
16 than pneumatic tires may be operated, unladen or with load,
17 upon the highways of this State when the gross weight on the
18 road surface through any wheel exceeds 800 pounds per inch
19 width of tire tread or when the gross weight on the road
20 surface through any axle exceeds 16,000 pounds.

21 (b) On non-designated highways, the gross weight of
22 vehicles and combination of vehicles including the weight of
23 the vehicle or combination and its maximum load shall be
24 subject to the foregoing limitations and further shall not
25 exceed the following gross weights dependent upon the number of
26 axles and distance between extreme axles of the vehicle or

1 combination measured longitudinally to the nearest foot.

2 VEHICLES HAVING 2 AXLES 36,000 pounds

3 VEHICLES OR COMBINATIONS

4 HAVING 3 AXLES

5	With Tandem		With or	
6	Axles		Without	
7			Tandem Axles	
8	Minimum		Minimum	
9	distance to	Maximum	distance to	Maximum
10	nearest foot	Gross	nearest foot	Gross
11	between	Weight	between	Weight
12	extreme axles	(pounds)	extreme axles	(pounds)
13	10 feet	41,000	16 feet	46,000
14	11	42,000	17	47,000
15	12	43,000	18	47,500
16	13	44,000	19	48,000
17	14	44,500	20	49,000
18	15	45,000	21 feet or more	50,000

19 VEHICLES OR COMBINATIONS HAVING 4 AXLES

20	Minimum		Minimum	
21	distance to	Maximum	distance to	Maximum
22	nearest foot	Gross	nearest foot	Gross
23	between	Weight	between	Weight

	extreme axles	(pounds)	extreme axles	(pounds)
1	15 feet	50,000	26 feet	57,500
2	16	50,500	27	58,000
3	17	51,500	28	58,500
4	18	52,000	29	59,500
5	19	52,500	30	60,000
6	20	53,500	31	60,500
7	21	54,000	32	61,500
8	22	54,500	33	62,000
9	23	55,500	34	62,500
10	24	56,000	35	63,500
11	25	56,500	36 feet or more	64,000

13 A vehicle not in a combination having more than 4 axles may
 14 not exceed the weight in the table in this subsection (b) for 4
 15 axles measured between the extreme axles of the vehicle.

16 COMBINATIONS HAVING 5 OR MORE AXLES

	Minimum distance to	Maximum
	nearest foot between	Gross Weight
	extreme axles	(pounds)
17	42 feet or less	72,000
18	43	73,000
19	44 feet or more	73,280

23 VEHICLES OPERATING ON CRAWLER TYPE TRACKS 40,000 pounds

1 TRUCKS EQUIPPED WITH SELFCOMPACTORS
2 OR ROLL-OFF HOISTS AND ROLL-OFF CONTAINERS FOR GARBAGE,
3 REFUSE, OR RECYCLING HAULS ONLY AND TRUCKS USED FOR
4 THE COLLECTION OF RENDERING MATERIALS
5 On Highway Not Part of National System
6 of Interstate and Defense Highways
7 with 2 axles 36,000 pounds
8 with 3 axles 54,000 pounds

9 TWO AXLE TRUCKS EQUIPPED WITH
10 A FRONT LOADING COMPACTOR USED EXCLUSIVELY
11 FOR THE COLLECTION OF GARBAGE, REFUSE, OR RECYCLING
12 with 2 axles 40,000 pounds

13 A 4-axle truck mixer registered as a Special Hauling
14 Vehicle, used exclusively for mixing and transportation of
15 concrete in the plastic state, manufactured before or in the
16 model year of 2014, and first registered in Illinois before
17 January 1, 2015, is allowed a maximum gross weight listed in
18 the table of subsection (f) of this Section for 4 axles. This
19 vehicle, while loaded with concrete in the plastic state, is
20 not subject to the series of 3 axles requirement provided for
21 in subdivision (a)(11) of this Section, but no axle or tandem
22 axle of the series may exceed the maximum weight permitted
23 under subdivision (a)(10) of this Section.

24 (b-1) As used in this Section, a "recycling haul" or

1 "recycling operation" means the hauling of segregated,
2 non-hazardous, non-special, homogeneous non-putrescible
3 materials, such as paper, glass, cans, or plastic, for
4 subsequent use in the secondary materials market.

5 (c) Cities having a population of more than 50,000 may
6 permit by ordinance axle loads on 2 axle motor vehicles 33 1/2%
7 above those provided for herein, but the increase shall not
8 become effective until the city has officially notified the
9 Department of the passage of the ordinance and shall not apply
10 to those vehicles when outside of the limits of the city, nor
11 shall the gross weight of any 2 axle motor vehicle operating
12 over any street of the city exceed 40,000 pounds.

13 (d) Weight limitations shall not apply to vehicles
14 (including loads) operated by a public utility when
15 transporting equipment required for emergency repair of public
16 utility facilities or properties or water wells.

17 A combination of vehicles, including a tow truck and a
18 disabled vehicle or disabled combination of vehicles, that
19 exceeds the weight restriction imposed by this Code, may be
20 operated on a public highway in this State provided that
21 neither the disabled vehicle nor any vehicle being towed nor
22 the tow truck itself shall exceed the weight limitations
23 permitted under this Chapter. During the towing operation,
24 neither the tow truck nor the vehicle combination shall exceed
25 24,000 pounds on a single rear axle and 44,000 pounds on a
26 tandem rear axle, provided the towing vehicle:

1 (1) is specifically designed as a tow truck having a
2 gross vehicle weight rating of at least 18,000 pounds and
3 is equipped with air brakes, provided that air brakes are
4 required only if the towing vehicle is towing a vehicle,
5 semitrailer, or tractor-trailer combination that is
6 equipped with air brakes;

7 (2) is equipped with flashing, rotating, or
8 oscillating amber lights, visible for at least 500 feet in
9 all directions;

10 (3) is capable of utilizing the lighting and braking
11 systems of the disabled vehicle or combination of vehicles;
12 and

13 (4) does not engage in a tow exceeding 20 miles from
14 the initial point of wreck or disablement. Any additional
15 movement of the vehicles may occur only upon issuance of
16 authorization for that movement under the provisions of
17 Sections 15-301 through 15-319 of this Code. The towing
18 vehicle, however, may tow any disabled vehicle from the
19 initial point of wreck or disablement to a point where
20 repairs are actually to occur. This movement shall be valid
21 only on State routes. The tower must abide by posted bridge
22 weight limits.

23 Gross weight limits shall not apply to the combination of
24 the tow truck and vehicles being towed. The tow truck license
25 plate must cover the operating empty weight of the tow truck
26 only. The weight of each vehicle being towed shall be covered

1 by a valid license plate issued to the owner or operator of the
2 vehicle being towed and displayed on that vehicle. If no valid
3 plate issued to the owner or operator of that vehicle is
4 displayed on that vehicle, or the plate displayed on that
5 vehicle does not cover the weight of the vehicle, the weight of
6 the vehicle shall be covered by the third tow truck plate
7 issued to the owner or operator of the tow truck and
8 temporarily affixed to the vehicle being towed.

9 The Department may by rule or regulation prescribe
10 additional requirements. However, nothing in this Code shall
11 prohibit a tow truck under instructions of a police officer
12 from legally clearing a disabled vehicle, that may be in
13 violation of weight limitations of this Chapter, from the
14 roadway to the berm or shoulder of the highway. If in the
15 opinion of the police officer that location is unsafe, the
16 officer is authorized to have the disabled vehicle towed to the
17 nearest place of safety.

18 For the purpose of this subsection, gross vehicle weight
19 rating, or GVWR, shall mean the value specified by the
20 manufacturer as the loaded weight of the tow truck.

21 (e) No vehicle or combination of vehicles equipped with
22 pneumatic tires shall be operated, unladen or with load, upon
23 the highways of this State in violation of the provisions of
24 any permit issued under the provisions of Sections 15-301
25 through 15-319 of this Chapter.

26 (f) On designated Class I, II, or III highways and the

1 National System of Interstate and Defense Highways, no vehicle
 2 or combination of vehicles with pneumatic tires may be
 3 operated, unladen or with load, when the total weight on the
 4 road surface exceeds the following: 20,000 pounds on a single
 5 axle; 34,000 pounds on a tandem axle with no axle within the
 6 tandem exceeding 20,000 pounds; 80,000 pounds gross weight for
 7 vehicle combinations of 5 or more axles; or a total weight on a
 8 group of 2 or more consecutive axles in excess of that weight
 9 produced by the application of the following formula: $W = 500$
 10 times the sum of (LN divided by N-1) + 12N + 36, where "W"
 11 equals overall total weight on any group of 2 or more
 12 consecutive axles to the nearest 500 pounds, "L" equals the
 13 distance measured to the nearest foot between extremes of any
 14 group of 2 or more consecutive axles, and "N" equals the number
 15 of axles in the group under consideration.

16 The above formula when expressed in tabular form results in
 17 allowable loads as follows:

18	Distance measured	
19	to the nearest	
20	foot between the	
21	extremes of any	Maximum weight in pounds
22	group of 2 or	of any group of
23	more consecutive	2 or more consecutive axles
24	axles	
25	feet	2 axles 3 axles 4 axles 5 axles 6 axles

1	4	34,000				
2	5	34,000				
3	6	34,000				
4	7	34,000				
5	8	38,000*	42,000			
6	9	39,000	42,500			
7	10	40,000	43,500			
8	11		44,000			
9	12		45,000	50,000		
10	13		45,500	50,500		
11	14		46,500	51,500		
12	15		47,000	52,000		
13	16		48,000	52,500	58,000	
14	17		48,500	53,500	58,500	
15	18		49,500	54,000	59,000	
16	19		50,000	54,500	60,000	
17	20		51,000	55,500	60,500	66,000
18	21		51,500	56,000	61,000	66,500
19	22		52,500	56,500	61,500	67,000
20	23		53,000	57,500	62,500	68,000
21	24		54,000	58,000	63,000	68,500
22	25		54,500	58,500	63,500	69,000
23	26		55,500	59,500	64,000	69,500
24	27		56,000	60,000	65,000	70,000
25	28		57,000	60,500	65,500	71,000
26	29		57,500	61,500	66,000	71,500

1	30	58,500	62,000	66,500	72,000
2	31	59,000	62,500	67,500	72,500
3	32	60,000	63,500	68,000	73,000
4	33		64,000	68,500	74,000
5	34		64,500	69,000	74,500
6	35		65,500	70,000	75,000
7	36		66,000	70,500	75,500
8	37		66,500	71,000	76,000
9	38		67,500	72,000	77,000
10	39		68,000	72,500	77,500
11	40		68,500	73,000	78,000
12	41		69,500	73,500	78,500
13	42		70,000	74,000	79,000
14	43		70,500	75,000	80,000
15	44		71,500	75,500	
16	45		72,000	76,000	
17	46		72,500	76,500	
18	47		73,500	77,500	
19	48		74,000	78,000	
20	49		74,500	78,500	
21	50		75,500	79,000	
22	51		76,000	80,000	
23	52		76,500		
24	53		77,500		
25	54		78,000		
26	55		78,500		

1 56 79,500

2 57 80,000

3 *If the distance between 2 axles is 96 inches or less, the 2
4 axles are tandem axles and the maximum total weight may not
5 exceed 34,000 pounds, notwithstanding the higher limit
6 resulting from the application of the formula.

7 Vehicles not in a combination having more than 4 axles may
8 not exceed the weight in the table in this subsection (f) for 4
9 axles measured between the extreme axles of the vehicle.

10 Vehicles in a combination having more than 6 axles may not
11 exceed the weight in the table in this subsection (f) for 6
12 axles measured between the extreme axles of the combination.

13 Local authorities, with respect to streets and highways
14 under their jurisdiction, without additional fees, may also by
15 ordinance or resolution allow the weight limitations of this
16 subsection, provided the maximum gross weight on any one axle
17 shall not exceed 20,000 pounds and the maximum total weight on
18 any tandem axle shall not exceed 34,000 pounds, on designated
19 highways when appropriate regulatory signs giving notice are
20 erected upon the street or highway or portion of any street or
21 highway affected by the ordinance or resolution.

22 The following are exceptions to the above formula:

23 (1) Two consecutive sets of tandem axles may carry a
24 total weight of 34,000 pounds each if the overall distance
25 between the first and last axles of the consecutive sets of
26 tandem axles is 36 feet or more.

1 (2) Vehicles for which a different limit is established
2 and posted in accordance with Section 15-316 of this Code.

3 (3) Vehicles for which the Department of
4 Transportation and local authorities issue overweight
5 permits under authority of Section 15-301 of this Code.
6 These vehicles are not subject to the bridge formula.

7 (4) Tow trucks subject to the conditions provided in
8 subsection (d) may not exceed 24,000 pounds on a single
9 rear axle or 44,000 pounds on a tandem rear axle.

10 (5) A tandem axle on a 3-axle truck registered as a
11 Special Hauling Vehicle, manufactured prior to or in the
12 model year of 2014, and registered in Illinois prior to
13 January 1, 2015, with a distance between 2 axles in a
14 series greater than 72 inches but not more than 96 inches
15 may not exceed a total weight of 36,000 pounds and neither
16 axle of the series may exceed 18,000 pounds.

17 (6) A truck not in combination, equipped with a self
18 compactor or an industrial roll-off hoist and roll-off
19 container, used exclusively for garbage, refuse, or
20 recycling operations, may, when laden, transmit upon the
21 road surface, except when on part of the National System of
22 Interstate and Defense Highways, the following maximum
23 weights: 22,000 pounds on a single axle; 40,000 pounds on a
24 tandem axle; 36,000 pounds gross weight on a 2-axle
25 vehicle; 54,000 pounds gross weight on a 3-axle vehicle.
26 This vehicle is not subject to the bridge formula.

1 (7) Combinations of vehicles, registered as Special
2 Hauling Vehicles that include a semitrailer manufactured
3 prior to or in the model year of 2014, and registered in
4 Illinois prior to January 1, 2015, having 5 axles with a
5 distance of 42 feet or less between extreme axles, may not
6 exceed the following maximum weights: 18,000 pounds on a
7 single axle; 32,000 pounds on a tandem axle; and 72,000
8 pounds gross weight. This combination of vehicles is not
9 subject to the bridge formula. For all those combinations
10 of vehicles that include a semitrailer manufactured after
11 the effective date of this amendatory Act of the 92nd
12 General Assembly, the overall distance between the first
13 and last axles of the 2 sets of tandems must be 18 feet 6
14 inches or more. Any combination of vehicles that has had
15 its cargo container replaced in its entirety after December
16 31, 2014 may not exceed the weights allowed by the bridge
17 formula.

18 (8) A 4-axle truck mixer registered as a Special
19 Hauling Vehicle, used exclusively for the mixing and
20 transportation of concrete in the plastic state,
21 manufactured before or in the model year of 2014, first
22 registered in Illinois before January 1, 2015, and not
23 operated on a highway that is part of the National System
24 of Interstate Highways, is allowed the following maximum
25 weights: 20,000 pounds on any single axle; 36,000 pounds on
26 a series of axles greater than 72 inches but not more than

1 96 inches; and 34,000 pounds on any series of 2 axles
2 greater than 40 inches but not more than 72 inches. The
3 gross weight of this vehicle may not exceed the weights
4 allowed by the bridge formula for 4 axles. The bridge
5 formula does not apply to any series of 3 axles while the
6 vehicle is transporting concrete in the plastic state, but
7 no axle or tandem axle of the series may exceed the maximum
8 weight permitted under this subsection (f).

9 (9) A vehicle or combination of vehicles with (i) 4
10 consecutive axles and a distance of 57 feet (measured to
11 the nearest foot) between the extremes of the group of
12 consecutive axles, (ii) 5 consecutive axles and a distance
13 of 51 feet (measured to the nearest foot) between the
14 extremes of the group of consecutive axles, or (iii) 6
15 consecutive axles and a distance of 43 feet (measured to
16 the nearest foot) between the extremes of the group of
17 consecutive axles, may carry a total weight of 80,400
18 pounds if the vehicle, or the towing vehicle of the
19 combination of vehicles, is equipped with an auxiliary
20 power unit for idling reduction that is in working order.

21 No vehicle or combination of vehicles equipped with other
22 than pneumatic tires may be operated, unladen or with load,
23 upon the highways of this State when the gross weight on the
24 road surface through any wheel exceeds 800 pounds per inch
25 width of tire tread or when the gross weight on the road
26 surface through any axle exceeds 16,000 pounds.

1 (f-1) A vehicle and load not exceeding 73,280 pounds is
2 allowed access as follows:

3 (1) From any State designated highway onto any county,
4 township, or municipal highway for a distance of 5 highway
5 miles for the purpose of loading and unloading, provided:

6 (A) The vehicle and load does not exceed 8 feet 6
7 inches in width and 65 feet overall length.

8 (B) There is no sign prohibiting that access.

9 (C) The route is not being used as a thoroughfare
10 between State designated highways.

11 (2) From any State designated highway onto any county
12 or township highway for a distance of 5 highway miles, or
13 any municipal highway for a distance of one highway mile
14 for the purpose of food, fuel, repairs, and rest, provided:

15 (A) The vehicle and load does not exceed 8 feet 6
16 inches in width and 65 feet overall length.

17 (B) There is no sign prohibiting that access.

18 (C) The route is not being used as a thoroughfare
19 between State designated highways.

20 (f-2) A vehicle and load greater than 73,280 pounds in
21 weight but not exceeding 80,000 pounds, or a vehicle and load
22 greater than 73,280 pounds in weight but not exceeding 80,400
23 pounds if the vehicle is equipped with an auxiliary power unit
24 for idling reduction that is in working order, is allowed
25 access as follows:

26 (1) From a Class I highway onto any street or highway

1 for a distance of one highway mile for the purpose of
2 loading, unloading, food, fuel, repairs, and rest,
3 provided there is no sign prohibiting that access.

4 (2) From a Class I, II, or III highway onto any State
5 highway or any local designated highway for a distance of 5
6 highway miles for the purpose of loading, unloading, food,
7 fuel, repairs, and rest.

8 Section 5-35 of the Illinois Administrative Procedure Act
9 relating to procedures for rulemaking shall not apply to the
10 designation of highways under this subsection.

11 (g) No person shall operate a vehicle or combination of
12 vehicles over a bridge or other elevated structure constituting
13 part of a highway with a gross weight that is greater than the
14 maximum weight permitted by the Department, when the structure
15 is sign posted as provided in this Section.

16 (h) The Department upon request from any local authority
17 shall, or upon its own initiative may, conduct an investigation
18 of any bridge or other elevated structure constituting a part
19 of a highway, and if it finds that the structure cannot with
20 safety to itself withstand the weight of vehicles otherwise
21 permissible under this Code the Department shall determine and
22 declare the maximum weight of vehicles that the structures can
23 withstand, and shall cause or permit suitable signs stating
24 maximum weight to be erected and maintained before each end of
25 the structure. No person shall operate a vehicle or combination
26 of vehicles over any structure with a gross weight that is

1 greater than the posted maximum weight.

2 (i) Upon the trial of any person charged with a violation
3 of subsections (g) or (h) of this Section, proof of the
4 determination of the maximum allowable weight by the Department
5 and the existence of the signs, constitutes conclusive evidence
6 of the maximum weight that can be maintained with safety to the
7 bridge or structure.

8 (Source: P.A. 93-177, eff. 7-11-03; 93-186, eff. 1-1-04;
9 93-1023, eff. 8-25-04; 94-464, eff. 1-1-06; 94-926, eff.
10 1-1-07.)

11 (625 ILCS 5/15-301) (from Ch. 95 1/2, par. 15-301)

12 Sec. 15-301. Permits for excess size and weight.

13 (a) The Department with respect to highways under its
14 jurisdiction and local authorities with respect to highways
15 under their jurisdiction may, in their discretion, upon
16 application and good cause being shown therefor, issue a
17 special permit authorizing the applicant to operate or move a
18 vehicle or combination of vehicles of a size or weight of
19 vehicle or load exceeding the maximum specified in this Act or
20 otherwise not in conformity with this Act upon any highway
21 under the jurisdiction of the party granting such permit and
22 for the maintenance of which the party is responsible.
23 Applications and permits other than those in written or printed
24 form may only be accepted from and issued to the company or
25 individual making the movement. Except for an application to

1 move directly across a highway, it shall be the duty of the
2 applicant to establish in the application that the load to be
3 moved by such vehicle or combination is composed of a single
4 nondivisible object that cannot reasonably be dismantled or
5 disassembled. For the purpose of over length movements, more
6 than one object may be carried side by side as long as the
7 height, width, and weight laws are not exceeded and the cause
8 for the over length is not due to multiple objects. For the
9 purpose of over height movements, more than one object may be
10 carried as long as the cause for the over height is not due to
11 multiple objects and the length, width, and weight laws are not
12 exceeded. For the purpose of an over width movement, more than
13 one object may be carried as long as the cause for the over
14 width is not due to multiple objects and length, height, and
15 weight laws are not exceeded. No state or local agency shall
16 authorize the issuance of excess size or weight permits for
17 vehicles and loads that are divisible and that can be carried,
18 when divided, within the existing size or weight maximums
19 specified in this Chapter. Any excess size or weight permit
20 issued in violation of the provisions of this Section shall be
21 void at issue and any movement made thereunder shall not be
22 authorized under the terms of the void permit. In any
23 prosecution for a violation of this Chapter when the
24 authorization of an excess size or weight permit is at issue,
25 it is the burden of the defendant to establish that the permit
26 was valid because the load to be moved could not reasonably be

1 dismantled or disassembled, or was otherwise nondivisible.

2 (b) The application for any such permit shall: (1) state
3 whether such permit is requested for a single trip or for
4 limited continuous operation; (2) state if the applicant is an
5 authorized carrier under the Illinois Motor Carrier of Property
6 Law, if so, his certificate, registration or permit number
7 issued by the Illinois Commerce Commission; (3) specifically
8 describe and identify the vehicle or vehicles and load to be
9 operated or moved except that for vehicles or vehicle
10 combinations registered by the Department as provided in
11 Section 15-319 of this Chapter, only the Illinois Department of
12 Transportation's (IDT) registration number or classification
13 need be given; (4) state the routing requested including the
14 points of origin and destination, and may identify and include
15 a request for routing to the nearest certified scale in
16 accordance with the Department's rules and regulations,
17 provided the applicant has approval to travel on local roads;
18 and (5) state if the vehicles or loads are being transported
19 for hire. No permits for the movement of a vehicle or load for
20 hire shall be issued to any applicant who is required under the
21 Illinois Motor Carrier of Property Law to have a certificate,
22 registration or permit and does not have such certificate,
23 registration or permit.

24 (c) The Department or local authority when not inconsistent
25 with traffic safety is authorized to issue or withhold such
26 permit at its discretion; or, if such permit is issued at its

1 discretion to prescribe the route or routes to be traveled, to
2 limit the number of trips, to establish seasonal or other time
3 limitations within which the vehicles described may be operated
4 on the highways indicated, or otherwise to limit or prescribe
5 conditions of operations of such vehicle or vehicles, when
6 necessary to assure against undue damage to the road
7 foundations, surfaces or structures, and may require such
8 undertaking or other security as may be deemed necessary to
9 compensate for any injury to any roadway or road structure. The
10 Department shall maintain a daily record of each permit issued
11 along with the fee and the stipulated dimensions, weights,
12 conditions and restrictions authorized and this record shall be
13 presumed correct in any case of questions or dispute. The
14 Department shall install an automatic device for recording
15 applications received and permits issued by telephone. In
16 making application by telephone, the Department and applicant
17 waive all objections to the recording of the conversation.

18 (d) The Department shall, upon application in writing from
19 any local authority, issue an annual permit authorizing the
20 local authority to move oversize highway construction,
21 transportation, utility and maintenance equipment over roads
22 under the jurisdiction of the Department. The permit shall be
23 applicable only to equipment and vehicles owned by or
24 registered in the name of the local authority, and no fee shall
25 be charged for the issuance of such permits.

26 (e) As an exception to paragraph (a) of this Section, the

1 Department and local authorities, with respect to highways
2 under their respective jurisdictions, in their discretion and
3 upon application in writing may issue a special permit for
4 limited continuous operation, authorizing the applicant to
5 move loads of agricultural commodities on a 2 axle single
6 vehicle registered by the Secretary of State with axle loads
7 not to exceed 35%, on a 3 or 4 axle vehicle registered by the
8 Secretary of State with axle loads not to exceed 20%, and on a
9 5 axle vehicle registered by the Secretary of State not to
10 exceed 10% above those provided in Section 15-111. The total
11 gross weight of the vehicle, however, may not exceed the
12 maximum gross weight of the registration class of the vehicle
13 allowed under Section 3-815 or 3-818 of this Code.

14 As used in this Section, "agricultural commodities" means:

- 15 (1) cultivated plants or agricultural produce grown
16 including, but is not limited to, corn, soybeans, wheat,
17 oats, grain sorghum, canola, and rice;
- 18 (2) livestock, including but not limited to hogs,
19 equine, sheep, and poultry;
- 20 (3) ensilage; and
- 21 (4) fruits and vegetables.

22 Permits may be issued for a period not to exceed 40 days
23 and moves may be made of a distance not to exceed 50 miles from
24 a field, an on-farm grain storage facility, a warehouse as
25 defined in the Illinois Grain Code, or a livestock management
26 facility as defined in the Livestock Management Facilities Act

1 over any highway except the National System of Interstate and
2 Defense Highways. The operator of the vehicle, however, must
3 abide by posted bridge and posted highway weight limits. All
4 implements of husbandry operating under this Section between
5 sunset and sunrise shall be equipped as prescribed in Section
6 12-205.1.

7 (e-1) Upon a declaration by the Governor that an emergency
8 harvest situation exists, a special permit issued by the
9 Department under this Section shall not be required from
10 September 1 through December 31 during harvest season
11 emergencies, provided that the weight does not exceed 20% above
12 the limits provided in Section 15-111. All other restrictions
13 that apply to permits issued under this Section shall apply
14 during the declared time period. With respect to highways under
15 the jurisdiction of local authorities, the local authorities
16 may, at their discretion, waive special permit requirements
17 during harvest season emergencies. This permit exemption shall
18 apply to all vehicles eligible to obtain permits under this
19 Section, including commercial vehicles in use during the
20 declared time period.

21 (f) The form and content of the permit shall be determined
22 by the Department with respect to highways under its
23 jurisdiction and by local authorities with respect to highways
24 under their jurisdiction. Every permit shall be in written form
25 and carried in the vehicle or combination of vehicles to which
26 it refers and shall be open to inspection by any police officer

1 or authorized agent of any authority granting the permit and no
2 person shall violate any of the terms or conditions of such
3 special permit. Violation of the terms and conditions of the
4 permit shall not be deemed a revocation of the permit; however,
5 any vehicle and load found to be off the route prescribed in
6 the permit shall be held to be operating without a permit. Any
7 off route vehicle and load shall be required to obtain a new
8 permit or permits, as necessary, to authorize the movement back
9 onto the original permit routing. No rule or regulation, nor
10 anything herein shall be construed to authorize any police
11 officer, court, or authorized agent of any authority granting
12 the permit to remove the permit from the possession of the
13 permittee unless the permittee is charged with a fraudulent
14 permit violation as provided in paragraph (i). However, upon
15 arrest for an offense of violation of permit, operating without
16 a permit when the vehicle is off route, or any size or weight
17 offense under this Chapter when the permittee plans to raise
18 the issuance of the permit as a defense, the permittee, or his
19 agent, must produce the permit at any court hearing concerning
20 the alleged offense.

21 If the permit designates and includes a routing to a
22 certified scale, the permittee, while enroute to the designated
23 scale, shall be deemed in compliance with the weight provisions
24 of the permit provided the axle or gross weights do not exceed
25 any of the permitted limits by more than the following amounts:

26 Single axle

2000 pounds

1 Tandem axle 3000 pounds

2 Gross 5000 pounds

3 (g) The Department is authorized to adopt, amend, and to
4 make available to interested persons a policy concerning
5 reasonable rules, limitations and conditions or provisions of
6 operation upon highways under its jurisdiction in addition to
7 those contained in this Section for the movement by special
8 permit of vehicles, combinations, or loads which cannot
9 reasonably be dismantled or disassembled, including
10 manufactured and modular home sections and portions thereof.
11 All rules, limitations and conditions or provisions adopted in
12 the policy shall have due regard for the safety of the
13 traveling public and the protection of the highway system and
14 shall have been promulgated in conformity with the provisions
15 of the Illinois Administrative Procedure Act. The requirements
16 of the policy for flagmen and escort vehicles shall be the same
17 for all moves of comparable size and weight. When escort
18 vehicles are required, they shall meet the following
19 requirements:

20 (1) All operators shall be 18 years of age or over and
21 properly licensed to operate the vehicle.

22 (2) Vehicles escorting oversized loads more than
23 12-feet wide must be equipped with a rotating or flashing
24 amber light mounted on top as specified under Section
25 12-215.

26 The Department shall establish reasonable rules and

1 regulations regarding liability insurance or self insurance
2 for vehicles with oversized loads promulgated under The
3 Illinois Administrative Procedure Act. Police vehicles may be
4 required for escort under circumstances as required by rules
5 and regulations of the Department.

6 (h) Violation of any rule, limitation or condition or
7 provision of any permit issued in accordance with the
8 provisions of this Section shall not render the entire permit
9 null and void but the violator shall be deemed guilty of
10 violation of permit and guilty of exceeding any size, weight or
11 load limitations in excess of those authorized by the permit.
12 The prescribed route or routes on the permit are not mere
13 rules, limitations, conditions, or provisions of the permit,
14 but are also the sole extent of the authorization granted by
15 the permit. If a vehicle and load are found to be off the route
16 or routes prescribed by any permit authorizing movement, the
17 vehicle and load are operating without a permit. Any off route
18 movement shall be subject to the size and weight maximums,
19 under the applicable provisions of this Chapter, as determined
20 by the type or class highway upon which the vehicle and load
21 are being operated.

22 (i) Whenever any vehicle is operated or movement made under
23 a fraudulent permit the permit shall be void, and the person,
24 firm, or corporation to whom such permit was granted, the
25 driver of such vehicle in addition to the person who issued
26 such permit and any accessory, shall be guilty of fraud and

1 either one or all persons may be prosecuted for such violation.
2 Any person, firm, or corporation committing such violation
3 shall be guilty of a Class 4 felony and the Department shall
4 not issue permits to the person, firm or corporation convicted
5 of such violation for a period of one year after the date of
6 conviction. Penalties for violations of this Section shall be
7 in addition to any penalties imposed for violation of other
8 Sections of this Act.

9 (j) Whenever any vehicle is operated or movement made in
10 violation of a permit issued in accordance with this Section,
11 the person to whom such permit was granted, or the driver of
12 such vehicle, is guilty of such violation and either, but not
13 both, persons may be prosecuted for such violation as stated in
14 this subsection (j). Any person, firm or corporation convicted
15 of such violation shall be guilty of a petty offense and shall
16 be fined for the first offense, not less than \$50 nor more than
17 \$200 and, for the second offense by the same person, firm or
18 corporation within a period of one year, not less than \$200 nor
19 more than \$300 and, for the third offense by the same person,
20 firm or corporation within a period of one year after the date
21 of the first offense, not less than \$300 nor more than \$500 and
22 the Department shall not issue permits to the person, firm or
23 corporation convicted of a third offense during a period of one
24 year after the date of conviction for such third offense.

25 (k) Whenever any vehicle is operated on local roads under
26 permits for excess width or length issued by local authorities,

1 such vehicle may be moved upon a State highway for a distance
2 not to exceed one-half mile without a permit for the purpose of
3 crossing the State highway.

4 (l) Notwithstanding any other provision of this Section,
5 the Department, with respect to highways under its
6 jurisdiction, and local authorities, with respect to highways
7 under their jurisdiction, may at their discretion authorize the
8 movement of a vehicle in violation of any size or weight
9 requirement, or both, that would not ordinarily be eligible for
10 a permit, when there is a showing of extreme necessity that the
11 vehicle and load should be moved without unnecessary delay.

12 For the purpose of this subsection, showing of extreme
13 necessity shall be limited to the following: shipments of
14 livestock, hazardous materials, liquid concrete being hauled
15 in a mobile cement mixer, or hot asphalt.

16 (m) Penalties for violations of this Section shall be in
17 addition to any penalties imposed for violating any other
18 Section of this Code.

19 (n) The Department with respect to highways under its
20 jurisdiction and local authorities with respect to highways
21 under their jurisdiction, in their discretion and upon
22 application in writing, may issue a special permit for
23 continuous limited operation, authorizing the applicant to
24 operate a tow-truck that exceeds the weight limits provided for
25 in subsection (d) of Section 15-111, provided:

26 (1) no rear single axle of the tow-truck exceeds 26,000

1 pounds;

2 (2) no rear tandem axle of the tow-truck exceeds 50,000
3 pounds;

4 (2.1) no triple rear axle on a manufactured recovery
5 unit exceeds 56,000 pounds;

6 (3) neither the disabled vehicle nor the disabled
7 combination of vehicles exceed the weight restrictions
8 imposed by this Chapter 15, or the weight limits imposed
9 under a permit issued by the Department prior to hookup;

10 (4) the tow-truck prior to hookup does not exceed the
11 weight restrictions imposed by this Chapter 15;

12 (5) during the tow operation the tow-truck does not
13 violate any weight restriction sign;

14 (6) the tow-truck is equipped with flashing, rotating,
15 or oscillating amber lights, visible for at least 500 feet
16 in all directions;

17 (7) the tow-truck is specifically designed and
18 licensed as a tow-truck;

19 (8) the tow-truck has a gross vehicle weight rating of
20 sufficient capacity to safely handle the load;

21 (9) the tow-truck is equipped with air brakes;

22 (10) the tow-truck is capable of utilizing the lighting
23 and braking systems of the disabled vehicle or combination
24 of vehicles;

25 (11) the tow commences at the initial point of wreck or
26 disablement and terminates at a point where the repairs are

1 actually to occur;

2 (12) the permit issued to the tow-truck is carried in
3 the tow-truck and exhibited on demand by a police officer;
4 and

5 (13) the movement shall be valid only on state routes
6 approved by the Department.

7 (o) The Department, with respect to highways under its
8 jurisdiction, and local authorities, with respect to highways
9 under their jurisdiction, in their discretion and upon
10 application in writing, may issue a special permit for
11 continuous limited operation, authorizing the applicant to
12 transport raw milk that exceeds the weight limits provided for
13 in subsections (b) and (f) of Section 15-111 of this Code,
14 provided:

15 (1) no single axle exceeds 20,000 pounds;

16 (2) no gross weight exceeds 80,000 pounds, except that
17 a vehicle equipped with an auxiliary power unit for idling
18 reduction that is in working order is permitted a gross
19 weight not exceeding 80,400 pounds;

20 (3) permits issued by the State are good only for
21 federal and State highways and are not applicable to
22 interstate highways; and

23 (4) all road and bridge postings must be obeyed.

24 (Source: P.A. 93-718, eff. 1-1-05; 93-971, eff. 8-20-04;
25 93-1023, eff. 8-25-04; revised 10-14-04.)